DOCUMENT RESUME

ED 143 176 EC 101 856

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TITLE Leisure Fulfillment for Handicapped and the White House Conference on Handicapped Individuals. Part I - The Conference.
INSTITUTION Iowa Univ., Iowa City. Recreation Education Program.
PUB DATE 77
NOTE 28p.

EDRS PRICE MF-$0.83 HC-$2.06 Plus Postage.
DESCRIPTORS *Civil Liberties; Conference Reports; Employment Opportunities; *Handicapped; *Legislation; Leisure Time; *Recreation

ABSTRACT

Presented is the final report outlining the proceedings of the White House Conference on Handicapped Individuals. Extracts from a speech by President Carter are provided; and conference activities in such areas as leisure and the arts, civil rights, and legislation are reviewed. Appended are remarks made by Secretary Joseph A. Califano, a fact sheet on federal equal employment opportunity requirements for hiring and promoting the handicapped, the Bureau of Outdoor Recreation handicapped resolution, resolutions made during open forum sessions, and the resolution adopted by the dissident group. (SBH)

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Leisure Fulfillment for Handicapped

and

The White House Conference on Handicapped Individuals

Part I - The Conference*

by

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*(Following the publication of the final report of the White House Conference on Handicapped Individuals, a second article, "Part II - The Recommendations" will be written which discusses the resolutions and recommendations adopted.)

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U.S. President's Committee on Employment of the Handicapped

-President, 1976-77, National Consortium on Physical Education and Recreation for the Handicapped

-Director, 1976-78, National Institute on Community Recreation for Handicapped - A Project Funded by The U.S. Bureau of Education for the Handicapped

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Leisure Fulfillment for Handicapped

and

The White House Conference on Handicapped Individuals

Part I - The Conference

by

John A. Nesbitt

The White House Conference on Handicapped Individuals, May 23-27, 1977, provided the means whereby people who are handicapped could press their concerns before the President, the Congress, the Federal-State Bureaucracy and the American People themselves.

The Conference was mandated by Act of Congress in 1974. The White House Conference had as its purpose: 1) to provide a national assessment of problems and potentials of individuals with mental or physical handicaps; 2) to generate a national awareness of these problems and potentials; and 3) to make recommendations to the President and Congress which, if implemented, will enable individuals with handicaps to live their lives independently, with dignity and with full participation in community life to the greatest extent possible.

During the one-year period prior to the convening of the White House Conference, 56 state and trust territory conferences were held. Participants in these state and territorial meetings adopted 24,000 recommendations and resolutions that were forwarded to Washington, D.C. to create the agenda for the White House Conference. These state and territorial meetings also elected State Delegates who carried forward to the nations's capital the concerns, needs and aspirations of people who are handicapped at the local level.

The White House Conference on Handicapped Individuals was a major attempt by the Federal government to learn and understand the concern of 35 million handicapped persons in the United States. Eight hundred delegates from all over the nation and more than 1,700 observers attended the five-day Conference. Fifty percent of the delegates were handicapped; twenty-five percent were parents or guardians of handicapped; and the remaining twenty-five percent were professionals and others involved in the field of the handicapped. Equitable delegate representation was provided for all categories of disability and for all handicapped minorities.

Means were provided for the formation and verification of statements, position papers, resolutions and recommendations. The Conference staff distilled the 24,000 state level recommendations into a series of "issues/concerns/recommendations" presented in printed workbooks. In turn, the Delegates ranked these items. The collective ratings will be published. New resolutions were generated through the workshops and the state caucuses for adoption by the entire Delegate Assembly at the closing plenary session.

The Conference

The Opening Session of the Conference was a highpoint. President Jimmy Carter and the Secretary of the Department of Health, Education and Welfare, Mr. Joseph A. Califano, Jr., cited recent advances and spoke from their hearts promising more progress.

The following is extracted from President Carter's speech.

"For too long handicapped people have been deprived of a right to an education; for too long handicapped people have been excluded from the possibility of jobs and employment where they could support themselves; for too long handicapped people have been kept out of buildings, have been kept off of streets and sidewalks, have been excluded from private and public transportation and have been deprived of a simple right in many instances just to communicate with one another.

"...I say to you tonight the time for discrimination against the handicapped in the United States is over.

"The Bill of Rights For Handicapped was spelled out in Title V of the Rehabilitation Act of 1973, and we are going to enforce the regulations that are specified in that bill. We are going to enforce the regulations that tear down the barriers of architecture and we are going to enforce the regulations that tear down the barriers of transportation.

"It is almost inconceivable, and it is a reflection on all of us in leadership positions that these basic rights have been delayed so long. These are not times for thanksgiving, but for a sustained demand and a time to assess other opportunities in the future.

"The civil rights of handicapped persons is not the only element of the laws that have been put into effect. We have more than 100 different programs in the Federal Government already for the handicapped. They are administered by many different agencies. There are a lot of different kinds of definitions for the handicap of the same person, and that means that many of you who have sought for a long time to take advantage of these programs which the Congress and my predecessors in the White House have passed have often had to go to four or five or six different agencies to get the simple treatment or opportunities which you deserve under the law.

"It is time for us to change that, and one of the very good benefits of the reorganization authority that Congress has now given me is to bring all of those programs for the handicapped together into one agency so you can understand them and take advantage of them.

"Your conference is important. You are intelligent, courageous leaders, but because you have experienced suffering and because you have overcome it, I think the recommendations that will be coming from you that will affect the lives of many millions of people now and in the future will have that same extra dimension.

"Our country needs you and I know that you will never disappoint those who look to you for leadership."

The following is reflective of the action-oriented character of the Conference. The next day, in response to President Carter's comments on coordination, Senator Jennings Randolph of West Virginia along with Senators Stafford of Vermont, Javits of New York and Williams of New Jersey introduced in the Senate a bill to establish a National Center for the Handicapped to serve as a central office to coordinate programs for the handicapped.

The Secretary of the U.S. Department of Health, Education and Welfare, Mr. Joseph A. Califano, Jr., spoke next saying,

"Last month, I signed a regulation implementing Section 504 of the Rehabilitation Act of 1973. As you well know, Section 504 prohibits discrimination solely on the basis of handicap against otherwise handicapped individuals, in programs receiving Federal financial assistance.

"The 504 regulation is a landmark in the quest of handicapped citizens for equal treatment, and it will be a fundamental guidepost to the new era of civil rights for the handicapped."

(See full text of speech, Appendix A.)

During the next three days, the Conference was addressed by a parade of national leaders such as Senator Jennings Randolph, Housing and Urban Development Secretary Patricia Roberts Harris, Education Commissioner Ernest L. Boyers, Veterans Administration Administrator Max Cleland, Department of Transportation Secretary Barbara Harris and A. Dean Swift, President of Sears, Roebuck Company.

Leisure, Recreation, The Arts

Among the 800 elected State Delegates attending the Conference, there were six known recreation professionals and board members. Of the 1,700 observers attending, recreation was represented by four full-time observers and six part-time observers. The Arts for Handicapped movement was represented by a number of delegates and observers. The Recreation and Cultural Workshops were attended by about 200 delegates and observers.

The part that leisure plays in the life of the person who is handicapped was an important aspect of the work agenda. The major features of the Conference dealing with leisure included:

*Major One-Day Workshop on Recreational Concerns.

*Major One-Day Workshop on Cultural Concerns.

*Artistic and Musical Presentations by People Who Are Handicapped

*Special Exhibits on the Mountwood Park for the Handicapped, West Virginia; the Children's Experimental Workshop (performing and applied arts training), Washington D.C.; Arts for the Handicapped Project, New York; and National Park Service, Washington, D.C.

Leisure is still often perceived as a secondary social need or problem by too many handicapped spokespersons, the public and service providers. However, recreational and cultural opportunity were among major social concerns addressed by the Conference. The other major social and special concerns included civil rights, severely and multiply disabled, attitudes, architectural accessibility, service delivery, minorities, transportation accessibility, veterans, communications, psychological adjustment, housing and aging.

The two one-day sessions dealing with leisure, that is the Recreation Workshop and the Cultural Workshop, dealt with a number of problems of definition, delivery, unmet needs and goals - but, all from a consumer point of view. There were 175 recommendations in the Recreation and Cultural Workshops prepared by the White House Staff based on the state and territorial recommendations.

These two comments are suggestive of those made by consumers in the Cultural and Recreation Workshops:

> "Therapy is our work for the day. What we handicapped need and want is a cultural activity. We don't want more work or more therapy which we get plenty of."
>
> "My two sons are mentally retarded and they want, and I want for them, the opportunity just to participate - not to have therapy, or education, or anything, but just to participate and enjoy."

The major action taken in those two Workshops was the adoption of a resolution which criticized the U.S. Bureau of Outdoor Recreation for its general inactivity in relation to handicapped and urged the Bureau to take on a substantive role in relation to the nation's 35-plus million handicapped. This was done on May 25. Within two hours, the new director of the Bureau, Mr. Chris Delaporte, appeared before the Workshop to discuss the issues that had been raised. (See Appendix C.)

The next day, May 26, following Mr. Delaporte's official swearing in as Director of the Bureau, he wrote the following to Joseph J. Margalis, Pennsylvania Delegate, Wilkes-Barre Recreation Board Members, and a member of the Recreation Workshop.

> "As one of my first commitments, I would like your White House Conference on Handicapped Individuals to know that as Director I will be open, responsive and sensitive to your needs and desires.
>
> "There will be specific action taken on all your recommendations."
>
> Chris T. Delaporte
> Director
> Bureau of Outdoor Recreation
> U.S. Department of the Interior
> Washington, D.C. 20240

Civil Rights and the Handicapped

The Rehabilitation Act of 1973, P.L. 93-112 (and amendments, P.L. 93-516) is the "first Congressional Act protecting the rights of the handicapped." This law and the regulations that have been issued place the responsibility for assuring the civil rights of the handicapped squarely on the Federal government and the U.S. Department of Health, Education and Welfare. The 504 Regulation of the Rehabilitation Act of 1973 joins Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 as basic social efforts to assure that minorities experience equality of opportunity in our society. However, handicapped consumers and handicapped advocates must undertake a massive grassroots effort arrived at supporting the Federal law if we are to achieve the social progress envisioned in the law. HEW Secretary Joseph A. Califano, Jr.,

left no doubt that he truly understood and supported the law and the regulations that he had signed. It is unrealistic to believe that laws and regulations can be implemented based simply on Federal initiative. Handicapped consumers must go to work at the local level.

New Coalitions

There were many new groups that came forward during the Conference. For example, the National Disabled Women's Caucus held its first major meeting at the Conference. The meeting was attended by 150 women (and a sprinkling of men) who discussed issues such as double discrimination in employment, housing, sex education, gynecological and obstetric care, bearing and raising children, consumerism, and advocacy. Major advances were made for disabled women by providing an opportunity for personal exchange among disabled women and the creation of a national communication network.

Other new groups that came forward included the Religious Caucus, headed by Harold H. Wilke of New York; the Child Non-White Caucus; and the Dissident Caucus that arrived in Washington with tags saying, "I'm Dissatisfied With This Conference."

Legislation Discussed

A number of laws and regulations pertinent to recreation which affect the handicapped were discussed and/or criticized. Discussion focused on:

*Affirmative Action Obligations of Contractors and Subcontractors for Handicapped Workers. (See Appendix B.)

*Affirmative Action Obligations of Contractors and Subcontractors for Disabled Veterans and Veterans of the Vietnam Era.

*Proposed Regulation for P.L. 94-142, Education for All Handicapped Act.

Progress Through the Conference

During the three work days, the various Workshops and the State Caucuses developed over 100 new resolutions and recommendations which were to be voted on at a final Plenary Session. However, due to the depth and complexity of the issues involved the Conference decided to take the resolutions back to their respective states for study and subsequent voting for or against by mail ballot. For some this was a disappointment - not bringing the whole matter to a dramatic close. Others saw this as a blessing - being forced to keep the wheels turning back home where it counts.

The White House Conference on Handicapped Individuals was a resounding success. Handicapped consumers and handicapped advocates truly had their day at the seat of the Federal government. They were attended to by the President and senior officials of the Administration. Elected leaders attended the Conference and welcomed delegates to their offices. They witnessed the Federal government responding.

Agencies, administrators and professionals listened and learned. The Delegates learned from one another and about one another. Many people said they saw more clearly the way ahead, how to proceed.

However, there were many points of disagreements among delegates and there was widespread dissatisfaction with the "Service Bureaucracy" (Federal, state and local government, voluntary agencies and the "professionals.") Many assistance programs seem to be degenerating rather than becoming better, more effective. Public prejudice, health care, housing problems, the economic squeeze, unemployment, barriers of all kinds, non-compliance with the "Law of the Land" - taken together these factors mean that beyond the difficulties and pain of daily coping with disease and disability, that being handicapped in our society predisposes a person to hundreds of problems - big and little - which greatly reduces his or her ability to live independently, to live in dignity and to participate in our society to the degree actually possible. Thus, while incredible gains have been made medically, scientifically, and socially, it appears that challenges and problems lie ahead of no less magnitude that those that are behind. Years of life, or life itself, have been achieved and recognition must be given to those who have, through their research and skills, made this possible. Now, the handicapped and their advocates must confront and overcome the attitudinal, economic and social quandaries that confront us.

This conference yielded new awareness and new insights. One thing that was brought about was a renewed awareness of the underlying goal of many delegates simply for self-determination.

Progress in Leisure and Recreation

Leisure, recreation and the arts had a distinct part in the White House Conference program. Appendix C reports major Recreation Workshop resolutions. Appendices D, E, and F report resolutions presented at the Open Forum. Appendix G reports a resolution adopted by the Dissident Group. Additional resolutions and statements related to leisure, recreation and the arts have been and will be formulated by various Conference bodies. To gain a full sense of the sentiments of the Conference one must read the final report which will be available in the fall of 1977. The report will contain all final resolutions and will be formally presented to the President and the Congress.

In various ways, the White House Conference represented many advances in leisure for the person who is handicapped. The Workshops on Recreation and Culture, the Workbooks on Recreation and Culture, the new Recreation Resolutions, the exhibits on parks, arts and play as well as the entertainment all served to demonstrate a growing awareness of the importance of leisure, the arts, recreation and parks and culture in the life of the person who is handicapped.

The Future

The following observations are made:

1. Based on the wide attention given to leisure, the arts, recreation and parks, play and culture, it is clear the nation's first White House Conference

on Handicapped Individuals perceived leisure fulfillment for the person who is handicapped as important. It is significant that comments and resolutions addressed the lack of programs and services and called for the initiation or expansion of programs.

2. Community recreation for handicapped, in the form of special outdoor recreation parks such as Mountwood Park in Parkersburg, West Virginia, the Recreation Center for the Handicapped in San Francisco, Special Arts Programs, Special Play Programs, etc., are being started in many communities.

3. The handicapped consumer and handicapped advocate wants equal opportunity for a normal leisure lifestyle, equal opportunity in leisure, and basic fulfillment or fun from leisure activity. The aims and methologies of community recreation for handicapped are consistent with the leisure aims and needs expressed by the Conference Delegates.

4. Based on the Senate testimony and statements of national leaders such as Senator Randolph, Senator Culver, Senator Hatch, Senator Stafford as well as House Members such as Representative Harkin, Representative Flood and Representative Brademas and the tremendous deficits that exist, we can anticipate distinct, new Federal legislation and programs which address specifically and solely the 170 million daily hours of enforced leisure for handicapped.

5. The comments and the views of the handicapped and parent Delegates may herald a new era in recreation for handicapped. The traditional providers of leisure and recreation services, that is institutions/agencies and the professionals (such as activity therapists, recreational therapists, therapeutic recreation specialists, art therapists, dance therapists, music therapists, bibliotherapists, horticulture therapists, and so on as well as teachers, social workers, etc.) may have to reorient their philosophy in terms of a client-participant who wishes to pursue self-determination in leisure, who wants equal opportunity in leisure and who desires to live a normal lifestyle similar to and comparable to other people. Often, in the past, institutions/agencies and many professionals have delivered programs and services that were determined based on institutional, professional and administrative priorities rather than consumer priorities. This institutional approach may not be acceptable in the future.

6. Further, we can expect in the near future from the Federal government:

a) Actual planning, coordination from the Federal government through a designated agency such as the Bureau of Outdoor Recreation;

b) Increased attention and funding by Federal agencies and units such as Vocational Rehabilitation, Developmental Disabilities, Bureau of Education for the Handicapped, etc.;

c) A long range Federal plan for program, research, training, technical assistance and grants in aid so that handicapped may achieve leisure fulfillment, equal opportunity in leisure and a normal leisure lifestlye;

d) The enforcement of Federal regulations regarding accessibility to Federal recreation facilities and accessibility to recreation facilities in Federally supported institutions as well as Affirmative Action for employment of handicapped in America's $200 billion annual leisure industry.

7. It is appropriate to consider in light of the White House Conference the philosophy and programs of agencies such as the Committee on Recreation and

Leisure of the U.S. President's Committee on Employment of the Handicapped, the National Consortium on Physical Education and Recreation for Handicapped and the U.S. Bureau of Education for the Handicapped program in recreation. FIRST, the philosophy and program of the COMMITTEE ON RECREATION AND LEISURE of the U.S. President's Committee on Employment of the Handicapped coincides closely with goals and expectations of Delegates who were consumers or parents. The Committee has been active in employment of handicapped in leisure service occupations, has been active in promoting leisure, recreation, park, cultural and play opportunities for children, youth and adults who are handicapped, and, very significantly, has taken the lead in Washington, D.C. in exploring the human and civil right to leisure of people who are handicapped. During the last year the Committee has conducted both a 'confrontation meeting' between consumers and providers of professional leisure services and a meeting on the human and civil right to public leisure opportunity. The Committee has been the foremost Federal agency in promoting and advocating recreational, cultural, arts, parks and play opportunity for handicapped children, youth and adults. Generally, the Committee's philosophy and program coincides with the philosophy, needs and desires of the Conference Delegates, the Conference's 175 or so recommendations and statements as presented in the Recreational and Cultural Workshop Workbooks, and resolutions and recommendations advanced by the Workshop sessions.

8. SECOND, the NATIONAL CONSORTIUM ON PHYSICAL EDUCATION AND RECREATION FOR HANDICAPPED is composed of individuals from some 40 colleges, universities and state and national agencies. All of these individuals are professionals actively involved in pre-service training, in-service training, research, demonstration and special projects. The organization is a relatively new one dedicated to exchange of professional information and the promotion of adapted physical education and therapeutic recreation service. The goals and program of the National Consortium are compatible with the aims and expectations expressed by the Conference Delegates. But, by no means does the National Consortium purport to represent handicapped consumers or parents and friends of handicapped. Thus, one might observe that the Conference points up the needs generally for a national effort, possibly a national organization, that would represent consumers, parents or guardians of handicapped and those with broad interests in the needs and interests of people who are handicapped.

9. The THIRD area to be touched on is the NATIONAL INSTITUTE ON COMMUNITY RECREATION FOR HANDICAPPED project as an example of projects funded by the U.S. BUREAU OF EDUCATION FOR THE HANDICAPPED. In general, a number of the special projects supported by the Bureau (the national Project Aquatics Mainstreaming conducted out of Longview, Washington with the assistance of the National Staff of the YMCA, the New Jersey State Demonstration of Statewide In-service Comprehensive Training in Community Recreation for Handicapped and so on) are highly compatible with the aims, needs and desires expressed in various ways by and through the White House Conference. For example, the National Institute on Community Recreation for Handicapped which we are conducting at the University of Iowa places primary emphasis on consumer models and consumer leisure competencies which lead to individual choice and self-determination in leisure by the person who is handicapped. It also emphasizes leisure advocacy models and new programs and services such as the Recreation Centers for the Handicapped in San Francisco and in Washington, D.C., the Mountwood Park for the Handicapped in Parkersburg, West Virginia, and so on.

Based on the strong support that the U.S. Bureau of Education for the Handicapped has provided for recreation training, research and special projects, it would appear that the greatest need at the present time is for greater awareness among consumer and advocacy groups of the gains that have been made through and by the Bureau.

10. It was dramatically shown through the White House Conference that the leisure and recreation needs of the nation's 35 million handicapped is 'low priority' on list after list. The leisure needs of the handicapped are on the 'low priority' list of every Federal agency - every single agency. The leisure needs of the handicapped are on the 'low priority' list of every national voluntary health agency - every one. And, the leisure needs of the handicapped consumers themselves and their parents or guardians are on the low 'low priority' list of every professional or rehabilitation organization. Only groups such as the National Wheelchair Basketball Association or the National Blind Golfers Association put leisure needs and aspirations of handicapped number one and these organizations do not deal, by definition, with the broad recreational, cultural and leisure needs of all 35 million handicapped - the unemployed disabled woman, the institutionalized person or the multiply or severly handicapped person. There is a need for a national organization which would serve the leisure needs and desires of handicapped consumers and advocates. If a guide were to be employed in establishing the composition of an organization such as an American Special Recreation Association, the formula might be similar to the one used by the White House Conference, i.e., 50 per cent people who are handicapped, 25 per cent parents and guardians of people who are handicapped and 25 per cent people who are broadly interested in the field. There is no broad based national organization in the United States that champions the leisure needs, rights and desires (that is, leisure, arts, recreation and parks, play and culture) of people who are handicapped.

HEW NEWS

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

FOR RELEASE UPON DELIVERY (APPROXIMATELY 8:30 P.M.)

REMARKS OF

SECRETARY JOSEPH A. CALIFANO, JR.

AT THE

WHITE HOUSE CONFERENCE ON HANDICAPPED INDIVIDUALS

May 23, 1977

Good evening, and a very warm welcome to the White House Conference on Handicapped Individuals.

A White House Conference is a catalytic event -- one that focuses concerns and develops an agenda for action on matters of the greatest national importance.

Tonight you embark on this Conference with three vital goals:

- First, to provide a national assessment of the problems and the potentials of individuals with mental or physical handicaps;

- Second, to generate a national awareness of these problems which have meant that handicapped individuals have in the past been an oppressed minority, subject to unconscionable discrimination, beset by demoralizing

indignities, detoured out of the mainstream of American life and unable to secure their rightful place as full and independent citizens; and

- Third, to make recommendations to the President and to the Congress which, if implemented, will enable individuals with handicaps to lead proud and productive lives, despite their disabilities.

Too often, however, the promise of a White House Conference has not been realized after the hotels have emptied and the media have carried away their cameras and typewriters.

But I know that this Conference will be different.

I know it will be different, in part, because of the fine leadership provided to you by Henry Viscardi, Jr., Chairman of the White House Conference, and by Jack F. Smith, Executive Director of the Conference. They, and their many co-workers, have been sensitive to the strong demands from all of you here tonight, -- and from the millions of handicapped citizens whom you represent -- that the Conference emphasize practical, substantive issues that directly affect the lives of Americans with disabilities.

But the promise of this Conference will be realized for another, more profound reason.

We are now entering a new era of civil rights for the handicapped individuals of America.

And we will not turn back.

For too long, America's handicapped individuals have been victimized by demeaning practices and injustices. But now there is recognition that unjust obstacles to self-determination and fair treatment must fall before the force of law -- an understanding that the nation as a whole must end the shameful neglect of handicapped citizens and help translate many of their legitimate needs into legal rights and meaningful programs.

Last month, I signed a regulation implementing Section 504 of the Rehabilitation Act of 1973. As you know well, Section 504 prohibits discrimination solely on the basis of handicap against otherwise qualified handicapped individuals, in programs receiving federal financial assistance.

The 504 regulation is a landmark in the quest of handicapped citizens for equal treatment, and it will be a fundamental guidepost to the new era of civil rights for the handicapped. It calls for the following dramatic changes in the actions and attitudes of institutions and individuals who are recipients of funds from the Department of Health, Education and Welfare:

- All new facilities must be barrier-free, i.e., readily accessible to and useable by handicapped individuals.

- Programs or activities in existing facilities must be made accessible to the handicapped within 60 days, and, if no other alternatives --such as reassignment of classes or home visits --will achieve program accessibility, structural changes in the facilities must be made within three years. No exceptions to the program accessibility requirement will be allowed.

- Employers may not refuse to hire handicapped persons, if reasonable accommodations can be made by them to an individual's handicap and if the handicap does not impair the ability of the applicant or employer to do the specific job.

- Employers may not require pre-employment physical examinations and may not make a pre-employment inquiry about whether a person is handicapped, or the nature or severity of a handicap, although employers may make a pre-employment inquiry into an applicant's ability to perform job-related functions.

- Every handicapped child will be entitled to free public education appropriate to his or her

individual needs, regardless of the nature or severity of the handicap. In those unusual cases where placement in a special residential setting is necessary, public authorities will be financially responsible for tuition, room and board.

- Handicapped children must not be segregated in the public schools, but must be educated with the non-handicapped in regular classrooms to the maximum extent possible.

- Educational institutions and other social service programs must provide auxiliary aids, such as readers in school libraries or interpreters for the deaf, to ensure full participation of handicapped persons.

- All recipients of HEW funds must complete within one year a self-evaluation process, in consultation with handicapped individuals and organizations, to determine which of their policies and practices need to be changed to assure equal opportunity for handicapped Americans.

Section 504 and the 504 Regulation constitute a striking recognition of the civil rights of America's handicapped citizens, just as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, and their companion regulations, are critical elements in the structure of law protecting the civil rights of racial minorities and women.

But we must now begin the process of making the new regulation a reality for handicapped Americans.

I pledge that this process will be monitored forcefully, fairly and expeditiously by HEW. There are firm timetables in the regulation. We should stick to them.

Let me briefly share with you some of the steps we have taken or will take to assure compliance with the 504 regulation.

We have an outstanding new team of leaders in HEW's Office for Civil Rights, headed by David Tatel, a distinguished attorney with broad civil rights experience.

We have begun work with the other Federal agencies and departments which will be issuing regulations similar to the 504 regulation and that will apply to all recipients of federal funds.

We have already begun last week to mail out 36,000 assurance of compliance forms to HEW recipients. These are

due back on July 5th. And, if we do not get a timely and adequate response, we will move immediately to enforce this requirement.

We will be ready to begin processing complaints brought under Section 504 by June 1st. Over 200 complaints have been filed with the Department.

We have prepared, and begun to distribute, braille and recorded copies of the 504 Regulation so that handicapped citizens can learn firsthand of their rights.

We have planned -- and will soon begin -- a major public awareness campaign that will inform handicapped individuals of their rights, recipients of their obligations, and the American people, including business and labor, about the striking new change in law. Schools should understand mainstreaming; colleges should learn about the program accessibility requirements; other recipients should understand how to restructure jobs; and myths about handicapped and disabled people must be dispelled. A manual explaining 504 will soon be ready for wide distribution.

We will develop a technical assistance unit to assist recipients in complying with important requirements like mainstreaming and program accessibility.

We have established a new position in the Office for Civil Rights -- the Deputy for Program Review -- who will work directly with the other divisions of HEW so that program officers include civil rights compliance requirements in their basic operations.

Through these and other measures, the Section 504 regulation can work.

But voluntary compliance, aided by deep involvement of handicapped citizens and groups, will make the regulation work far more quickly. If handicapped individuals, recipients, leaders in public and private life, and the Federal government can be guided by sensitivity, fairness and common sense, then the regulation can immediately become a charter of equal opportunity, not an invitation to litigation.

But ending discrimination is only the first step in assuring that handicapped citizens can assume their rightful role as participants, to the fullest extent possible, in American society.

As the next three days will demonstrate, the task of guaranteeing that handicapped individuals have equal opportunities in fact, and not just under the law, will require initiatives in many facets of our social and economic life.

For example, the Disability Insurance program, part of HEW's Social Security Administration, faces serious financial problems.

The program provides monthly cash payments to severely disabled adults who have work experience covered by Social Security. Four million disabled individuals and their families receive benefits from the Disability Insurance program. More than $7 billion is paid out annually to these beneficiaries.

As you know, President Carter has recently sent Congress a proposal for restoring the sound financial status of the

social security system, and the most urgent priority in that package is restoring the fiscal integrity of the Disability Insurance program. Without the legislation which we are sending to Congress, the Disability Insurance Trust Fund would be in default in 1979, bankrupting the Disability Insurance program.

President Carter plans to correct the deficit in the Disability Trust Fund, not by adding to the tax burdens of the low-income worker, but by raising the wage base for employers and more equitably spreading the costs.

With your support, President Carter's proposals can ensure that disabled individuals covered by Social Security continue to receive cash benefits. Millions of handicapped Americans deserve to have their confidence in the Social Security system restored.

During the next few days, you will discuss and debate many issues that, like the health of the Disability Insurance program, are of great significance to handicapped Americans.

On Thursday, I hope to return to you and discuss the work of the Conference and where we go from here.

But for now I just want to stress the warmth of my welcome to you, to echo President Carter's strong words of support, and to thank you -- for the wisdom you will share with us and for the courage you have shown us, and all the American people.

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U.S. Department of Labor
Program Highlights

Consumer Information Leaflet No 76-34 (ESA-10) June 1976
FACT SHEET

FEDERAL EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS FOR HIRING AND PROMOTING THE HANDICAPPED

What are they? Section 503 of the Rehabilitation Act of 1973 prohibits most employers doing business for federal government from discriminating in employment against the handicapped. These employers must also take measures to hire and promote qualified handicapped persons.

Enforcement: Primarily by the Office of Federal Contract Compliance Programs, Employment Standards Administration.

Coverage:

Employers. Those with a contract or subcontract with federal government for $2,500 or more of supplies or services or use of property.

Handicapped. Persons who (1) have a physical or mental impairment which substantially limits one or more major life activities, (2) have a record of such impairment or (3) are regarded as having such an impairment. A handicapped person is "substantially limited" if likely to find difficulty in securing, retaining or advancing in employment because of handicap.

Affirmative action: Affected employers must take affirmative action to hire and promote qualified handicapped persons. Affirmative action measures cover the gamut of employment and personnel practices, such as recruitment, hiring, rates of pay, upgrading, demotion and selection for training.

Covered employers must include in each federal contract a section, set forth by regulation, called an affirmative action clause. This clause commits the employer to heeding federal requirements for hiring and promoting the handicapped.

Employers with a contract of $50,000 or more and 50 or more employees must prepare and keep on file a written affirmative action program for each establishment. The programs shall be reviewed and updated annually.

Complaints: File personally or by authorized representative within 180 days from the date of alleged violation with Director, Office of Federal Contract Compliance Programs, U.S. Dept. of Labor, Washington, D.C.

This is one of a series of fact sheets highlighting U.S. Department of Labor programs. It is intended as a general description only and does not carry the force of legal opinion.

Further information: Available from local office of Federal Contract Compliance Programs, listed in most phonebooks under: U.S. Government, Department of Labor, Employment Standards Administration. See also Code of Federal Regulations, Chapter 60, Part 60-741 (published in Federal Register, April 16, 1976.

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BOR and the Handicapped Resolution (May 25)*

The following resolution was adopted by the WHCHI Workshop IV Social Concerns (2), RECREATION:

WHEREAS, recreation and leisure opportunity and services for America's 35-plus million handicapped individuals have been assigned very low priority or no priority by Federal agencies, notably the Bureau of Outdoor Recreation, Rehabilitation Services Administration, the Commission on Aging, and the Office of Handicapped Individuals; and

WHEREAS, the Nationwide Outdoor Recreation Plan prepared by the Bureau of Outdoor Recreation purposely deleted rationale, planning, and attention to the needs of America's 35-plus million handicapped individuals; and

WHEREAS, the Plan sidestepped operational and fiscal responsibility by assigning this function to State and local governments; and

WHEREAS, these two actions are wholly inconsistent with the philosophy and responsibility exercised by the Federal government in other areas such as employment, education, health care, and social security; and

NOW, THEREFORE, BE IT RESOLVED THAT the Bureau of Outdoor Recreation shall immediately undertake the preparation of a revised Nationwide Outdoor Recreation Plan to meet the needs of America's 35-plus million handicapped individuals; and

BE IT FURTHER RESOLVED THAT the President of the United States of America mandate a report from all cabinet members on existing programs, their level of authorization, and their level of funding; and that a Plan be developed which will address the needs of the Nation's handicapped, that authorization/funding levels of programs and services, research, training, technical assistance, and demonstration programs be provided and that responsibility be assigned to the Bureau of Outdoor Recreation with the directive that other appropriate Federal agencies and commissions shall cooperate with the Bureau of Outdoor Recreation to achieve the goal of meeting the recreation and leisure needs of the total population.

The resolution was introduced by Calvin Jondle, Iowa Delegate, Waterloo, Iowa. Following the adoption of the resolution by the workshop session, delegates from the following states obtained copies of the resolution for their state caucuses; Alaska (Mark Oliger), California (Mickey Christiansen), Colorado (Janet Anderson), Delaware (Bonnie Fairchild), Florida (Sara Hurdle), Indiana (Norton H. Brown), Iowa (Calvin Jondle), Kansas (Kenneth Clark), Kentucky (Wilma VanLandingham), Lousiana (Perry Tillman, III), Maine (Jan K. Repass), Massachusetts (Franck Rebstad), Michigan (John Hogg), New Jersey (Patricia M. Shillingbury), New Mexico (Fred Shanks), North Carolina (Glen VanAndel), North Dakota (Ruth E. Erickson), Ohio (Myrtle McCland), Oregon

(Dennis Celorie and Terry Hooton), Pennsylvania (Joe Margalis), Puerto Rico (Ir·ida Cortes), Tennessee (Cloyd E. Litle), Texas (Don Drewry), Virginia (Joseph F. Lytle, Jr.), West Virginia (Florence Merow and Ed Lehew), and Wisconsin (M. Lashook). A sufficient number of State Caucuses passed the resolution to have it placed before the Delegate Assembly for adoption by that body also. This additional vote will be taken by mail ballot of the State Delegations.

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*STATUS OF RESOLUTION

This resolution was adopted by a sufficient number of State Caucuses to the White House Conference to be among the 100 and more resultions submitted to the Delegate Assembly for formal adoption by the conference at large. The resolution was among those printed and sent to the 56 State and Territorial Delegations for final vote.

Open Forum on Issues, Needs

Two special sessions were held during the Conference devoted to hearing reports, resolutions and statements on issues, unmet problems and needs. These sessions were held Tuesday and Wednesday, May 24 and 25. The following resolutions were introduced at the Open Forum sessions. Following the Conference, they are to be studied by the National Planning and Advisory Council to the White House Conference on Handicapped Individuals.

Leisure Equality for Handicapped Resolution (May 24)

WHEREAS, people who are handicapped do not have equitable access to the American leisure lifestyle, and which represent $200 billion in Gross National Leisure Consumption annually; and

WHEREAS, people who are handicapped are not provided professional recreation service by 90 per cent of public recreation and park departments; and

WHEREAS, people who are handicapped are denied access to 90 per cent of the nation's local, state and national recreation facilities and parks; and

WHEREAS, leisure is a primary means of achieving personal fulfillment for millions of unemployed handicapped men, two million unemployed handicapped women and millions of handicapped employed only part-time; and

WHEREAS, people who are handicapped are entitled to equal opportunity for leisure fulfillment and are entitled to a normal leisure lifestyle;

THEREFORE, BE IT RESOLVED THAT the White House Conference on Handicapped Individuals urges the Congress and the President to take measures to assure to people who are handicapped that they achieve leisure fulfillment, that they achieve equal opportunity in leisure and that they achieve a normal leisure lifestyle.

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*STATUS OF RESOLUTION

This resolution was heard by an Open Forum Special Panel and submitted to the National Planning and Advisory Council to the White House Council on Handicapped Individuals. If adopted by the Council the resolution will appear in the report of the White House Council Conference on Handicapped Individuals.

Open Forum on Issues, Needs

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Recreation Facility Accessibility for Handicapped Resolution (May 25)

WHEREAS, the Public Hearings conducted by the Architectural and Transportation Barriers Compliance Board, October 20-21, in Boston depicted massive non-compliance with the legal right of the handicapped to access to recreation facilities;

THEREFORE, BE IT RESOLVED THAT immediate measures be taken to provide direct organized disabled consumer review of progress on compliance with the Rehabilitation Act of 1973, Sections 504, P.L. 93-142 and the Architectural Barriers Act of 1968, P.L. 90-480.

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*STATUS OF RESOLUTION

This resolution was heard by an Open Forum Special Panel and submitted to the National Planning and Advisory Council to the White House Council on Handicapped Individuals. If adopted by the Council the resolution will appear in the report of the White House Council Conference on Handicapped Individuals.

Open Forum on Issues, Needs

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Federal Funding for Local Recreation for Handicapped Resolution (May 25)

WHEREAS, local community recreation and leisure programs and services, both urban and rural, are very limited or non-existent for people who are handicapped; and

WHEREAS, those new programs and services that are being developed on a trial basis rely heavily on non-local or state-federal funds; and

WHEREAS, state level funding, technical assistance and training in support of local recreation and leisure service for handicapped are virtually non-existent with but few exceptions; and

WHEREAS, Federal programs such as Vocational Rehabilitation, Developmental Disabilities, Bureau of Education for the Handicapped, Commission on Aging, and Social Security have provided precedent setting, but very limited funding for state and local recreation for handicapped programs and service;

THEREFORE, BE IT RESOLVED THAT the means be established to facilitate funding by the above cited as well as other appropriate agencies for recreation and leisure opportunity and services for handicapped; and

BE IT FURTHER RESOLVED that guidelines for the dispersment of such funds include an emphasis on encouraging consumerism and consumer groups, encouraging employment of handicapped in full-time and part-time roles and due consideration of assumption of fiscal responsibility by local authorities.

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*STATUS OF RESOLUTION

This resolution was heard by an Open Forum Special Panel and submitted to the National Planning and Advisory Council to the White House Council on Handicapped Individuals. If adopted by the Council the resolution will appear in the report of the White House Council Conference on Handicapped Individuals.

Federal Leisure Enfranchisement for the Handicapped Resolution (May 26)

An informal dissident group met during the White House Conference. Their meetings and activities dramatized the group's stand against oppression of handicapped, against prejudice towards the handicapped, against Federal and State bureaucracy, and against 'professional' and 'institutional' herding of handicapped. The following resolution was adopted by the dissident group as part of a general statement prepared and adopted by the informal group.

WHEREAS, the leisure needs of handicapped children, youth, adults and aged are largely ignored by medical, educational, social, vocational, recreational, arts and cultural services; and

WHEREAS, 35-plus million handicapped daily accumulate 170-plus million enforced, empty hours of enforced leisure per day, this in denial of leisure fulfillment, denial of recreation, parks, cultural and arts opportunity, denial of equal opportunity and denial of a normal American life style;

BE IT THEREFORE RESOLVED THAT measures should be taken by the President and the Congress to ensure that all Federal agencies and programs respond immediately to this massive disenfranchisement of 35-plus million Americans.

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*STATUS OF RESOLUTION

This resolution is part of the general statement that was prepared by the 'dissident group.' The entire statement was presented to the National Planning and Advisory Council to the White House Conference on Handicapped Individuals with the request that the statement be published as part of the overall Conference report.